

Remarks

Claims 10 and 16 have been amended. Support for the amendment to claims 10 and 16 may be found in the specification, for example, at page 19, lines 24-28. Claims 1-18 are pending in the application. Examination and reconsideration of the application is respectfully requested.

§ 112 Rejection

Claims 10 and 16 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 10 and 16 have been amended to overcome the rejection under 35 U.S.C. § 112, second paragraph. The term “polymer” has been added after “(meth)acrylic” in each claim, as suggested in the Office Action.

In view of the foregoing, it is submitted that the rejection of claims 10 and 16 under 35 U.S.C. § 112, second paragraph has been overcome and should be withdrawn.

§ 103 Rejection

Claims 1-18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lohse taken in combination with McGrath et al.

Lohse (U.S. Patent No. 3,447,954) reports adhesive composition that can be applied as films to labels, tapes, cartons, boxes and the like, and to methods of preparing such adhesive compositions, and sheet materials coated and sealed by means of such adhesive compositions. Dried films of the adhesive compositions of the invention are nontacky at normal temperatures, but, upon the application of heat become tacky and remain tacky for long periods after they have cooled to room temperature. Lohse does not teach or suggest Applicants' claimed method wherein a latent, over-tackified, adhesive is applied to a substrate and is activated by applying a plasticizing agent to form a pressure sensitive adhesive. The adhesive compositions of Lohse require the application of heat to become tacky (i.e., to activate).

McGrath et al. (U.S. Patent No. 4,248,748) does not cure the deficiency of Lohse. McGrath et al. reports heat-activated adhesives comprising a pressure-sensitive adhesive acrylate polymer and a tackfying resin, included in sufficient amount to lower the pressure-sensitive adhesion of the heat-activated adhesive to levels needed for convenient and effective room-temperature handling of sheets coating with the adhesive, while leaving the adhesive with the capacity for strong heat-activated bonds (see, Abstract). McGrath et al. reports that the adhesives are activated by heat in order to be useful as pressure sensitive adhesives capable of forming strong bonds. McGrath et al. does not teach or suggest activation by a plasticizing agent as in Applicants' claimed method.

In summary, both of the cited references report non-tacky materials that are heated to provide tacky materials. By contrast, in the method of the present invention a plasticizing agent is applied to activate the latent, over-tackified adhesive to form a pressure sensitive adhesive.

In view of the foregoing, it is submitted that the rejection of claims 1-18 under 35 U.S.C. §103(a) as being unpatentable over Lohse in view of McGrath et al. has been overcome and should be withdrawn.

In view of the foregoing, it is submitted that the application is now in condition for allowance. Allowance of claims 1-18 at an early date is respectfully requested.

| | |
|-------------------------------|----------------------------------|
| Registration Number 43,869 | Telephone Number 651-736-3512 |
| Date August 6, 2002 | |

Respectfully submitted,

By


Scott R. Pribnow

Office of Intellectual Property Counsel
3M Innovative Properties Company
P.O. Box 33427
St. Paul, Minnesota 55133-3427
Facsimile: (651) 736-3833

Version With Markings to Show Changes Made

10 (amended). The method of claim 1 wherein the latent, over-tackified, pressure-sensitive adhesive comprises a natural rubber, synthetic rubber, styrene block copolymer, (meth)acrylic polymer, poly(alpha-olefin), or silicone.

16 (amended). The method of claim 11 wherein the latent, over-tackified, pressure-sensitive adhesive comprises a natural rubber, synthetic rubber, styrene block copolymer, (meth)acrylic polymer, poly(alpha-olefin), or silicone.